

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

AMANDA BAHR, individually and on behalf)	
of all others similarly situated,)	
)	
Plaintiff,)	
v.)	Case No. 4:13-cv-00274-DDN
)	
HOMER TLC, INC., HOME DEPOT U.S.A.)	
d/b/a THE HOME DEPOT, and THE HOME)	
DEPOT, INC.)	
)	
Defendants.)	

PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)(A)(i)

COMES NOW Plaintiff, by and through counsel Steelman, Gaunt and Horsefield, and files its notice of dismissal without prejudice pursuant to Rule 41(a)(1)(A)(i) and states and informs the Court as follows:

1. No Defendant has filed an answer or motion for summary judgment.
2. No class has been certified, therefore the provisions of Rule 23(e) are not applicable.
3. This is not a derivative action or an action related to unincorporated associations, and therefore Rules 23.1(c) and 23.2 do not apply.
4. This action does not involve the appointment of a receiver, or an action brought by or against a receiver and no receiver has been appointed. Therefore, the provisions of Rule 66 do not apply to this action.
5. The Plaintiff here has not dismissed any federal or state court claim based on or including the same claim, and Plaintiff specifically dismisses this claim without prejudice.

Respectfully Submitted,

STEELMAN, GAUNT & HORSEFIELD

By: /s/ Stephen F. Gaunt
MO Bar #33183
901 Pine Street, Ste. 110
P.O. Box 1257
Rolla, MO 65402
Telephone: 573-341-8336
Fax: 573-341-8548
sgaunt@steelmanandgaunt.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I, Stephen F. Gaunt, hereby certify that on the 28th day of March, 2013, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF filing system which sent notification of said filing to:

Matthew C. Hans (MO #51541)
POLSINELLI SHUGHART PC
100 S. Fourth Street, Suite 1000
St. Louis, MO 63102
(314) 889-8000
Fax No.: (314) 231-1776
mhans@polsinelli.com

Of Counsel:
S. Stewart Haskins (pro hac vice motion forthcoming)
Zachary A. McEntyre (pro hac vice motion forthcoming)
KING & SPALDING LLP
1180 Peachtree Street, N.E.
Atlanta, Georgia 30309
Tel: (404) 572-4600
Fax: (505) 572-5100

/s/ Stephen F. Gaunt
Stephen F. Gaunt